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U.S. BANKRUPTCY COURT, SDNY

# Wayne M. Pressel

Attorney at Law

September 27, 2018

The Honorable Martin Glenn  
United States Bankruptcy Court for the  
Southern District of New York  
One Bowling Green  
New York, New York 10004-1408

VIA PRIORITY MAIL  
Tracking No. 9114 9011 5981 5083 6319 07

Re: Bankr. No.:12-12020-MG- Chapter11  
In Re: Residential Capital, LLC

Dear Judge Glenn:

I am the attorney for Robynne Ariel Fauley in her appeal to the United States District Court for the Southern District of New York, Case No. 18-cv-4748, *pro hac vice*. It has been brought to my attention that Doc. No. 10567 filed in the above-referenced case inexplicably contains my client's Statement of Issues and Designation of Record filed on May 25, 2018 at pages 5-14. Each page of the copy of my client's Statement of Issues and Designation of Record displays stamps which read:

This property is accepted for value and exempt from levy.  
Please "adjust" this account and release all proceeds, products,  
accounts, fixtures, and orders to me immediately.  
/s/ \_\_\_\_\_ EIN \_\_\_\_\_  
Invoice # \_\_\_\_\_

My office is informed that Ms. Fauley has not conveyed any interest in her appeal to the party appearing to have filed Doc. No. 10567, with whom she has no familiarity. I am out of the country at this time and I have instructed my research assistant investigate the possibility that Mr. Morse did not file Doc. No. 10567 based on a comparison of the signature of Gregory C. Morse with an address of 223 High Point Drive, Murphy Texas 75904 on Proof of Claim No. 5680 in the above-referenced case with the signatures which appear on Doc. No. 10567 do not appear to be similar. See enclosed Proof of Claim No. 5680 and Doc. No. 10567. I have also directed my office to contact Mr. Morse and am informed that a voice message was left with Mr. Morse at the telephone number appearing on Proof of Claim No. 5680 and on page 19 of Doc. No. 10567 on September 25, 2018 and that an email was sent to him at the email address appearing on Proof of Claim No. 5680 on September 26, 2018.

In any event, Ms. Fauley had nothing whatsoever to do with the filing of Doc. No. 10567 and has not authorized the use of her Statement of Issues and Designation of Record by anyone for any purpose, except in connection with her appeal. She has no idea what the meaning of the Doc. No. 10567 is or why her appeal documents have been produced in this manner. She rejects the use of her appeal information in a filing to this Court

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after the entry of your May 2, 2018 Order (Doc. No. 10522), which has been appealed because it directed the Clerk of Bankruptcy Court not to accept future filings from Ms. Fauley, without cause or opportunity to be heard. Ms. Fauley would not jeopardize her future ability to file documents in this case if she is ultimately granted relief from the May 2, 2018 Order or otherwise allowed to do so by this Court by participating in any filing before this Court resolution of the pending appeal, except that which was necessary to perfect the appeal.

I am writing to you to assure you that Ms. Fauley, who is represented by me as her counsel on appeal in Case No. 18-cv-4748, had nothing to do with the filing of Doc. No. 10567. I hope that this letter will serve in lieu of a formal motion to strike Doc. No. 10567 from the record. In order to move to strike the unauthorized portions of the Doc. No. 10567, I would be required to apply for *pro hac vice* admission to this Court and proceed formally in advance of having any authentic issue of Ms. Fauley's to present at an unnecessary expense to Mr. Fauley. I hope such a wasteful endeavor will not be necessary. If the party filing Doc. No. 10567 is actually the party contacted by my office, it is expected that Doc. No. 10567 will be withdrawn as including unauthorized, altered materials consisting of Ms. Fauley's Statement of Issues and Designation of Record without her knowledge.

Thank you for your attention to this matter.

Sincerely,

Electronically signed at Vancouver,  
British Columbia, Canada

/s/ Wayne M. Pressel  
Wayne M. Pressel, Esq.

cc: Norman Rosenbaum, Attorney for the RESCAP Liquidating Trust, via  
facsimile to (212) 468-7900

Casey B. Howard, Attorney for LNV, via facsimile to (212) 303-2754